

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

REMARKS

Introduction

Claims 1-4, 7, 9, 19-24, 27-29 and 31-82 are pending in the application. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

Rejection under 35 USC §103

Claims 1 and 65-66 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 9,757,034 to Yu (hereinafter, "Yu") in view of U.S. Patent No. 5,973,664 to Badger (hereinafter, "Badger") and further in view of "NEC LCD Series MultiSync User's Manual" of August 22, 1999 (hereinafter, "NEC"). Applicant respectfully traverses these rejections for at least the following reasons.

Claim 1

Referring to independent claim 1, in the Office Action dated February 3, 2009, the Examiner alleges that Yu, Badger, and NEC in combination with one another disclose all the limitations recited in independent claim 1. In particular, the Examiner alleges on page 4 of the Office Action that NEC discloses "the right orientation of the OSM menu can be toggled between landscape and portrait (p. 6, para. 3) [the menu will be displayed according to the button position]." However, it is respectfully submitted that Yu, Badger, and NEC, whether taken alone or in combination with one another, do not teach or suggest all of the features as recited in independent claim 1, for at least the following reasons.

Referring to page 6, paragraph 3 of NEC as relied upon by the Examiner, NEC describes that "[t]o toggle the orientation of the OSM menu between Landscape and Portrait modes, press the RESET button while the OSM menu is off." In other words, NEC merely describes "toggl[ing] the orientation" of the "menu" between "Landscape and Portrait modes" by pressing a

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

“RESET button” – not “displaying the image” that is “rotated” according to the detected “pivot angle” at a “position close to the buttons.” At best, NEC describes displaying the menu in “Landscape” or “Portrait” modes – not that the menu is displayed in a position that is “rotated” according to the detected “pivot angle” at a “position close to the buttons.” Therefore, Yu, Badger, and NEC, whether taken alone or in combination with one another, fail to teach or suggest, among other things, “detecting a pivot angle of the image display apparatus, and displaying the image rotated according to the pivot angle at a position close to the buttons.”

Since Yu, Badger, and NEC, whether taken alone or in combination with one another, fail to teach or suggest each of the features as recited in claim 1, claim 1 is patentably distinguishable and deemed to be allowable.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Claims 65 and 66

With regard to claims 64 and 65, it is requested that for at least the reasons that these claims depend from allowable independent claim 1, and therefore contain each of the features as recited in claim 1, claims 65 and 66 are also patentable over Yu, Badger, and NEC, whether taken alone or in combination with one another.

Accordingly, withdrawal of these rejections and allowance of these claims are earnestly solicited.

Rejection under 35 USC §103

Claims 2-4 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Yu in view of Badger in view of NEC and further in view of U.S. Patent No. 6,744,259 to Bald (hereinafter, “Bald”). Applicant respectfully traverses these rejections for at least the following reasons.

With regard to claims 2-4, it is requested that for at least the reasons that these claims depend from allowable independent claim 1, and therefore contain each of the features as

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

recited in claim 1, claims 2-4 are also patentable over Yu, Badger, NEC, and Bald, whether taken alone or in combination with one another.

Accordingly, withdrawal of these rejections and allowance of these claims are earnestly solicited.

Rejection under 35 USC §103

Claims 7, 9 and 67-68 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,346,972 to Kim (hereinafter, "Kim") in view of Bald and further in view of NEC. Applicant respectfully traverses these rejections for at least the following reasons.

Claim 7

Referring to independent claim 7, in the Office Action dated February 3, 2009, the Examiner alleges that Kim, Bald, and NEC in combination with one another disclose all the limitations recited in independent claim 7. In particular, the Examiner alleges on page 7 of the Office Action that Bald discloses that the "image display unit has zones to display an image indicating functions assigned to the buttons, and the controller generates image information to be displayed in the zones in the zones and supplies the image information to the graphics processing unit ... (fig. 1, items 1-4), (col. 5, lines 36-44)." The Examiner further alleges in the Office Action that NEC discloses that the "right orientation of the OSM menu can be toggled between landscape and portrait (p. 6, para. 3)[the menu will be displayed according to the button position]." However, it is respectfully submitted that Kim, Bald, and NEC, whether taken alone or in combination with one another, do not teach or suggest all of the features as recited in independent claim 7, for at least the following reasons.

Referring to FIG. 1 and col. 5, lines 36-44 of Bald as relied upon by the Examiner, Bald illustrates and describes that a "verification menu 30" is displayed and the menu "permits the user to select from among four types of tests to be verified using up and down cursor control

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

arrows activated by softkeys 1 and 2a select key activated by softkey 3, and an exit activated by softkey 4” – not that the “verification menu 30” has “zones” for displaying “image information.” Bald merely describes at col. 4, line 66 to col. 5, line 5 that the display screen 20 merely is a “display screen capable of displaying the menus and submenus” – Bald fails to teach or suggest anywhere that the display screen 20 has “zones” or that it displays “image information” in the “zones.” Therefore, Kim, Bald, and NEC, whether taken alone or in combination with one another, fail to teach or suggest, among other things, “the image display unit has zones to display an image indicating functions assigned to the buttons, and the controller generates image information to be displayed in the zones and supplies the image information to the graphics processing unit” as recited in claim 7.

Referring to page 6, paragraph 3 of NEC as relied upon by the Examiner, NEC describes that “[t]o toggle the orientation of the OSM menu between Landscape and Portrait modes, press the RESET button while the OSM menu is off.” In other words, NEC merely describes “toggle[ing] the orientation” of the “menu” between “Landscape and Portrait modes” by pressing a “RESET button” – not “display[ing] the image” in the “zones” that is “rotated” according to the detected “pivot angle” at a “position close to the buttons.” At best, NEC describes displaying the menu in “Landscape” or “Portrait” modes – not that the menu is displayed in a position that is “rotated” according to the detected “pivot angle” at a “position close to the buttons.” Therefore, Kim, Bald, and NEC, whether taken alone or in combination with one another, fail to teach or suggest, among other things, “that the graphics processing unit displays the image in the zones rotated according to the pivot angle at a position close to the buttons” as recited in claim 7.

Since Kim, Bald, and NEC, whether taken alone or in combination with one another, fail to teach or suggest each of the features as recited in claim 7, claim 7 is patentably distinguishable and deemed to be allowable.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Claims 9, 67 and 68

With regard to claims 9, 67, and 68, it is requested that for at least the reasons that

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

these claims depend from allowable independent claim 7, and therefore contain each of the features as recited in claim 7, claims 9, 67, and 68 are also patentable over Kim, Bald, and NEC, whether taken alone or in combination with one another.

Accordingly, withdrawal of these rejections and allowance of these claims are earnestly solicited.

Rejection under 35 USC §103

Claims 19-23 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bald in view of Kim and further in view of NEC. Applicant respectfully traverses these rejections for at least the following reasons.

Claim 19

Referring to independent claim 19, in the Office Action dated February 3, 2009, the Examiner alleges that Bald, Kim, and NEC in combination with one another disclose all the limitations recited in independent claim 19. In particular, the Examiner alleges on page 8 of the Office Action that Bald discloses "an image display unit including zones to display an image indicating functions assigned to the buttons (fig. 1, items 1-4)." The Examiner further alleges on page 9 of the Office Action that Kim discloses "a pivot detector to detect a pivot angle of the image display unit to provide the pivot angle detected to the graphics processing unit such that the graphics processing unit supplies an image to the image display unit at a same pivot angle as the image display unit (col. 5, lines 8-11 and fig. 3)." The Examiner alleges further still that NEC discloses the "right orientation of the OSM menu can be toggled between landscape and portrait (p. 6, para. 3)[the menu will be displayed according to the button position]." However, it is respectfully submitted that Bald, Kim, and NEC, whether taken alone or in combination with one another, do not teach or suggest all of the features as recited in independent claim 19, for at least the following reasons.

Referring to FIG .1 of Bald as relied upon by the Examiner, as well as col. 5, lines 36-44,

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

Bald illustrates and describes that a “verification menu 30” is displayed and the menu “permits the user to select from among four types of tests to be verified using up and down cursor control arrows activated by softkeys 1 and 2a select key activated by softkey 3, and an exit activated by softkey 4” – not that the “verification menu 30” displayed on display screen 20 has “zones.”

Bald merely describes at col. 4, line 66 to col. 5, line 5 that the display screen 20 merely is a “display screen capable of displaying the menus and submenus” – Bald fails to teach or suggest anywhere that the display screen 20 has “zones” or that it displays an “image in the zones” that is “rotated according to the pivot angle” at a position close to the buttons.”

Referring to FIG. 3 and col. 5, lines 8-11 of Kim as relied upon by the Examiner, Kim illustrates and describes “a pivot controller 840 for outputting storing position control signals 841 and data selection control signals 842 in response to pivot control signals 212 from the controller 200.” In other words, Kim describes “outputting” storing position control signals and data selection control signals in response to pivot control signals – not displaying an “image in the zones” that is “rotated according to the pivot angle” and “at a position close to the buttons.”

Referring to page 6, paragraph 3 of NEC as relied upon by the Examiner, NEC describes that “[t]o toggle the orientation of the OSM menu between Landscape and Portrait modes, press the RESET button while the OSM menu is off.” In other words, NEC merely describes “toggl[ing] the orientation” of the “menu” between “Landscape and Portrait modes” by pressing a “RESET button” – not “display[ing] the image” in the “zones” that is “rotated” according to the detected “pivot angle” at a “position close to the buttons.” At best, NEC describes displaying the menu in “Landscape” or “Portrait” modes – not that the menu is displayed in a position that is “rotated” according to the detected “pivot angle” at a “position close to the buttons.”

Therefore, for at least the above reasons, Bald, Kim, and NEC, whether taken alone or in combination with one another, fail to teach or suggest, among other things, “an image display unit including zones to display an image indicating functions assigned to the buttons” and where the “image display unit displays the image in the zones rotated according to the pivot angle at a position close to the buttons” as recited in claim 19.

Since Kim, Bald, and NEC, whether taken alone or in combination with one another, fail to teach or suggest each of the features as recited in claim 19, claim 19 is patentably

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

distinguishable and deemed to be allowable.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Claims 20-23

With regard to claims 20-23, it is requested that for at least the reasons that these claims depend from allowable independent claim 19, and therefore contain each of the features as recited in claim 19, claims 20-23 are also patentable over Bald, Kim, and NEC, whether taken alone or in combination with one another.

Accordingly, withdrawal of these rejections and allowance of these claims are earnestly solicited.

Rejection under 35 USC §103

Claim 24 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Bald in view of Kim in view of NEC and further in view of U.S. Patent No. 6,356,287 to Ruberry et al. (hereinafter, "Ruberry"). Applicant respectfully traverses this rejection for at least the following reasons.

With regard to claim 24, it is requested that for at least the reasons that this claim depends from allowable independent claim 19, and therefore contains each of the features as recited in claim 19, claim 24 is also patentable over Bald, Kim, NEC, and Ruberry, whether taken alone or in combination with one another.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

Rejection under 35 USC §103

Claims 27-34 and 71-72 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bald in view of Yu. Applicant respectfully traverses this rejection for at least the following reasons.

Claim 27

Referring to independent claim 27, in the Office Action dated February 3, 2009, the Examiner alleges that Bald and Yu in combination with one another disclose all the limitations recited in independent claim 27. On page 11 of the Office Action, the Examiner acknowledges and Applicant agrees that Bald fails to teach or suggest “generating sub-functions of at least one of the first and second buttons according to the generated first and second function.” The Examiner alleges that Yu describes “OSD software to display menu functions and sub functions respective to indicative symbols and buttons (fig. 3).” The Examiner further contends that “it would have been obvious to one having ordinary skill in the art at the time the invention was made to include Yu sub-function feature[s] in Bald. One would have been motivated to do so in order to optimize screen real estate.” However, it is respectfully submitted that Bald and Yu, whether taken alone or in combination with one another, fail to teach or suggest all of the features as recited in independent claim 19, for at least the following reasons.

Referring to FIG. 3 of Yu as relied upon by the Examiner, as well as col. 3, lines 4-7, Yu illustrates and describes that “a user of the flat panel display 10 presses any one of the control buttons 102, which automatically drives the OSD software to display the indicating symbols 302 (see FIG. 3) on the display screen 300” and that the “indicating symbols 302 respectively indicate functions and positions of the function buttons 102 and the power switch button 101.” Yu illustrates in FIG. 3 and describes in col. 3, lines 18-33 a “volume adjustment bar 303 appears near the indicating symbols 302” on the flat panel display 10 after the user “presses the second function button 106” thereby selecting to “adjust the volume of the speakers 202.” Yu further describes in col. 3, lines 18-33 that

[g]uided by the indicating symbols 302, the user can press the adjusting buttons

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

104, 105 to adjust the volume of the speakers 202. When the adjusting button 104 is pressed, the darkened position of the volume adjustment bar 303 extends rightward, and the volume of the speakers 202 is progressively turned up. When the adjusting button 105 is pressed, the adjustment bar 303 recedes leftward, and the speakers 202 are progressively turned down. When the second function button 106 is pressed a second time, the volume adjustment bar 303 disappears. The adjusted speak volume result is stored automatically.

In other words, Yu merely describes displaying and controlling a function such as “volume adjustment,” and fails to teach or suggest “generating sub-functions of at least one of the first and second buttons according to the generated first and second function.” At best, Yu describes that the user “presses the second function button 106” thereby selecting to “adjust the volume of the speakers 202” and that “the user can press the adjusting buttons 104, 105 to adjust the volume,” *not* “generating sub-functions” according to the “generated first and second function.” There is no generated “sub-function” associated with the “volume adjustment” described by Yu, where the generated sub-function is *according to* a “generated first and second function.”

Therefore, for at least the above reasons, Bald and Yu, whether taken alone or in combination with one another, fail to teach or suggest, among other things, “generating sub-functions of at least one of the first and second buttons according to the generated first and second function” as recited in claim 27.

Since Bald and Yu, whether taken alone or in combination with one another, fail to teach or suggest every element as recited in Applicant’s claim 27, claim 27 is patentably distinguishable and deemed to be allowable.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Claims 28-34, 71, and 72

With regard to claims 28-34, 71, and 72, it is requested that for at least the reasons that these claims depend from allowable independent claim 27, and therefore contain each of the features as recited in claim 27, claims 28-34, 71 and 72 are also patentable over Bald and Yu,

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

whether taken alone or in combination with one another.

Accordingly, withdrawal of these rejections and allowance of these claims are earnestly solicited.

Rejection under 35 USC §103

Claims 35-36 and 73-74 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bald in view of Yu in view of Kim and further in view of NEC. Applicant respectfully traverses these rejections for at least the following reasons.

Claim 35

Referring to independent claim 35, in the Office Action dated February 3, 2009, the Examiner alleges that Bald, Yu, Kim, and NEC in combination with one another disclose all the limitations recited in independent claim 35. On pages 13-14 of the Office Action, the Examiner alleges that Bald discloses a “controller” to “generate image information to be displayed in the zones (fig. 1, items 1-4).” On page 14 of the Office Action, the Examiner alleges that Yu describes “a graphics processing unit to process at least one function of the respective at least one button to be displayed on the screen at a position corresponding to the at least one button (fig. 3).” The Examiner further alleges that Kim discloses:

a pivot detector to detect a pivot angle of the image display unit and to provide the pivot angle detected to the graphics processing unit such that the graphics processing unit supplies an image to the image display unit at a same pivot point angle as the image display unit at a same pivot angle as the image display unit (col. 5, lines 8-11 and fig. 3).

On page 15 of the Office Action, the Examiner alleges that NEC discloses the “right orientation of the OSM menu can be toggled between landscape and portrait (p. 6, para. 3)[the menu will be displayed according to the button position].” However, it is respectfully submitted that Bald, Yu, Kim, and NEC, whether taken alone or in combination with one another, do not teach or suggest all of the features as recited in independent claim 35, for at least the following reasons.

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

Referring to page 6, paragraph 3 of NEC as relied upon by the Examiner, NEC describes that “[t]o toggle the orientation of the OSM menu between Landscape and Portrait modes, press the RESET button while the OSM menu is off.” In other words, NEC merely describes “toggl[ing] the orientation” of the “menu” between “Landscape and Portrait modes” by pressing a “RESET button” – not “display[ing] the image” that is “rotated” according to the detected “pivot angle” at a “position close to the at least one button.” At best, NEC describes displaying the menu in “Landscape” or “Portrait” modes – not that the menu is displayed in a position that is “rotated” according to the detected “pivot angle” at a “position close to the at least one button.”

Therefore, for at least the above reasons, Bald, Yu, Kim, and NEC, whether taken alone or in combination with one another, fail to teach or suggest, among other things, that “the image display unit displays the image rotated according to the pivot angle at a position close to the at least one button” as recited in claim 35.

Since Bald, Yu, Kim, and NEC, whether taken alone or in combination with one another, fail to teach or suggest every element as recited in Applicant’s claim 35, claim 35 is patentably distinguishable and deemed to be allowable.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Claims 36, 73, and 74

With regard to claims 36, 73, and 74, it is requested that for at least the reasons that these claims depend from allowable independent claim 35, and therefore contain each of the features as recited in claim 35, claims 36, 73, and 74, are also patentable over Bald, Yu, Kim, and NEC, whether taken alone or in combination with one another.

Accordingly, withdrawal of these rejections and allowance of these claims are earnestly solicited.

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

Rejection under 35 USC §103

Claims 37-63 and 75-78 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Yu in view of Pivot Pro Software 1998-2001 (hereinafter "Pivot Pro") in view of Kim and further in view of NEC. Applicant respectfully traverses these rejections for at least the following reasons.

Claim 37

Referring to independent claim 37, in the Office Action dated February 3, 2009, the Examiner alleges that Yu, Pivot Pro, Kim, and NEC in combination with one another disclose all the limitations recited in independent claim 37. On page 16 of the Office Action, the Examiner alleges that Pivot Pro describes "a detector unit to detect whether the device is in a portrait mode or in a landscape mode (p. 1, para. [001])." The Examiner further alleges that Kim describes that "at least one symbol is displayed which is respectively assigned to the at least one input unit, and wherein the orientation of the at least one symbol is changed in accordance with the result of the detector unit (col. 7, lines 51-55) and (fig. 10)." On page 17 of the Office Action, the Examiner further alleges that NEC discloses the "right orientation of the OSM menu can be toggled between landscape and portrait (p. 6, para. 3)[the menu will be displayed according to the button position]." However, it is respectfully submitted that Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another, do not teach or suggest all of the features as recited in independent claim 37, for at least the following reasons.

Referring to page 1, paragraph 1 of Pivot Pro as relied upon by the Examiner, Pivot Pro describes "software" that "lets you rotate your computer display from landscape to portrait position" – not "a detector unit" to "detect" whether the device is in a "portrait mode or in a landscape mode." Applicant respectfully submits that Pivot Pro fails to teach or suggest "a detector unit" to "detect" a "portrait mode or in a landscape mode" *anywhere*.

Referring to FIG. 10 and col. 7, lines 51-56 of Kim as relied upon by the Examiner, Kim illustrates and describes that "if the user has turned the display panel 1100 by 90 degrees clockwise," the "letters and figures of the on-screen display 1104 are displayed in the normal

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

manner as seen by the user.” In other words, Kim describes displaying the on-screen display 1104 “in the normal manner as seen by the user” after the display panel 1100 has been rotated by 90 degrees -- not “at least one symbol” whose “orientation is changed” is “displayed” at a “position close to the at least one input unit.” The orientation of the on-screen display 1104 after the display panel 110 has been rotated is unrelated to a “position” that is “close” to the “input unit” (i.e., keypad 1105 of the display panel 1100).

Referring to page 6, paragraph 3 of NEC as relied upon by the Examiner, NEC describes that “[t]o toggle the orientation of the OSM menu between Landscape and Portrait modes, press the RESET button while the OSM menu is off.” In other words, NEC merely describes “toggl[ing] the orientation” of the “menu” between “Landscape and Portrait modes” by pressing a “RESET button” – not that the “orientation” of a least one displayed “symbol” is “changed” with the result of the “detector unit.” At best, NEC describes displaying the menu in “Landscape” or “Portrait” modes – not that the “orientation” of a least one displayed “symbol” is “changed” with the result of the “detector unit” to “detect whether the device is in a portrait mode or in a landscape mode.”

Therefore, Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another, fail to teach or disclose, among other things, “a detector unit to detect whether the device is in a portrait mode or in a landscape mode” and “at least one symbol is displayed which is respectively assigned to the at least one input unit, and wherein the orientation of the at least one symbol is changed in accordance with the result of the detector unit, and the at least one symbol, whose orientation is changed, is displayed at a position close to the at least one input unit” as recited in claim 37.

Since Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another, fail to teach or suggest every element as recited in Applicant's claim 37, claim 37 is patentably distinguishable and deemed to be allowable.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

Claim 38-47, 75, and 76

With regard to claims 38-47, 75, and 76, it is requested that for at least the reasons that these claims depend from allowable independent claim 37, and therefore contain each of the features as recited in claim 37, claims 38-47, 75, and 76, are also patentable over Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another.

Accordingly, withdrawal of these rejections and allowance of these claims are earnestly solicited.

Claim 48

Referring to independent claim 48, in the Office Action dated February 3, 2009, the Examiner alleges that Yu, Pivot Pro, Kim, and NEC in combination with one another disclose all the limitations recited in independent claim 48. On page 19 of the Office Action, the Examiner alleges that Pivot Pro describes "detecting a rotated state of the display device (p. 1, para. [001])." On page 20 of the Office Action, Kim describes "controlling the function of the display upon actuation of the at least one input unit (col. 6, lines 10-15)." The Examiner further alleges that NEC discloses the "right orientation of the OSM menu can be toggled between landscape and portrait (p. 6, para. 3)[the menu will be displayed according to the button position]." However, it is respectfully submitted that Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another, do not teach or suggest all of the features as recited in independent claim 48, for at least the following reasons.

Referring to page 1, paragraph 1 of Pivot Pro as relied upon by the Examiner, Pivot Pro describes "software" that "lets you rotate your computer display from landscape to portrait position" – not "detecting" a "rotated state of the display device." Applicant respectfully submits that Pivot Pro fails to teach or suggest "detecting" a "rotated state of the display device" *anywhere*. Moreover, Pivot Pro describes at p. 1, paragraph 1 that "software ... lets you rotate your computer display from landscape to portrait position" – not that "changing an orientation" of at least one "symbol" includes "displaying the at least one symbol, whose orientation is changed, at a position close to the at least one input unit."

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

Referring to page 6, paragraph 3 of NEC as relied upon by the Examiner, NEC describes that “[t]o toggle the orientation of the OSM menu between Landscape and Portrait modes, press the RESET button while the OSM menu is off.” In other words, NEC merely describes “toggl[ing] the orientation” of the “menu” between “Landscape and Portrait modes” by pressing a “RESET button” – not that the “orientation” of a least one displayed “symbol” is “changed” at a “position close to the at least one input unit.” At best, NEC describes displaying the menu in “Landscape” or “Portrait” modes – not that the “orientation” of a least one displayed “symbol” is “changed” at a “position close to the at least one input unit.”

Therefore, Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another, fail to teach or suggest, among other things, “detecting a rotated state of the display device” and “changing an orientation of the at least one symbol” includes “displaying the at least one symbol, whose orientation is changed, at a position close to the at least one input unit” as recited in claim 48.

Since Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another, fail to teach or suggest every element as recited in Applicant’s claim 48, claim 48 is patentably distinguishable and deemed to be allowable.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Claims 49-62, 77, and 78

With regard to claims 49-62, 77, and 78, it is requested that for at least the reasons that these claims depend from allowable independent claim 48, and therefore contain each of the features as recited in claim 48, claims 49-62, 77 and 78, are also patentable over Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another.

Accordingly, withdrawal of these rejections and allowance of these claims are earnestly solicited.

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

Claim 63

Referring to independent claim 48, in the Office Action dated February 3, 2009, the Examiner alleges that Yu, Pivot Pro, Kim, and NEC in combination with one another disclose all the limitations recited in independent claim 63. On page 23 of the Office Action, the Examiner alleges that Pivot Pro discloses “changing an orientation of the at least one symbol in accordance with an information indicative of a viewing state of the screen, in which the viewing state relates to a rotated state of the screen (p. 1, para. [001].” The Examiner further alleges that NEC discloses the “right orientation of the OSM menu can be toggled between landscape and portrait (p. 6, para. 3)[the menu will be displayed according to the button position].” However, it is respectfully submitted that Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another, do not teach or suggest all of the features as recited in independent claim 63, for at least the following reasons.

Referring to page 1, paragraph 1 of Pivot Pro as relied upon by the Examiner, Pivot Pro describes “software” that “lets you rotate your computer display from landscape to portrait position, making documents, e-mail and web browsing easier to manage” – not “changing an orientation” of at least one “symbol” in accordance with a “detection of a viewing state of the screen, in which the viewing state relates to a rotated state of the screen.” Applicant respectfully submits that Pivot Pro fails to teach or suggest anywhere a “detection” of a “viewing state” of a screen.

Referring to page 6, paragraph 3 of NEC as relied upon by the Examiner, NEC describes that “[t]o toggle the orientation of the OSM menu between Landscape and Portrait modes, press the RESET button while the OSM menu is off.” In other words, NEC merely describes “toggl[ing] the orientation” of the “menu” between “Landscape and Portrait modes” by pressing a “RESET button” – not that the “orientation” of a least one displayed “symbol” is “changed” at a “position close to the at least one input unit.” At best, NEC describes displaying the menu in “Landscape” or “Portrait” modes – not that the “orientation” of a least one displayed “symbol” is “changed” at a “position close to the at least one input unit.”

Therefore, Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another, fail to teach or suggest, among other things, “changing an orientation of the at least

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

one symbol in accordance with a detection of a viewing state of the screen, in which the viewing state relates to a rotated state of the screen,” and “displaying the at least one symbol, whose orientation is changed, at a position close to the at least one input unit” as recited in claim 63.

Since Yu, Pivot Pro, Kim, and NEC, whether taken alone or in combination with one another, fail to teach or suggest every element as recited in Applicant’s claim 63, claim 63 is patentably distinguishable and deemed to be allowable.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Rejection under 35 USC §103

Claims 64 and 81-82 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Yu in view of Bald in view of Pivot Pro and further in view of NEC. Applicant respectfully traverses these rejections for at least the following reasons.

Claim 64

On page 25 of the Office Action, the Examiner alleges that NEC discloses the “right orientation of the OSM menu can be toggled between landscape and portrait (p. 6, para. 3)[the menu will be displayed according to the button position].” However, it is respectfully submitted that Yu, Bald, Pivot Pro, and NEC, whether taken alone or in combination with one another, do not teach or suggest all of the features as recited in independent claim 64, for at least the following reasons.

Referring to page 6, paragraph 3 of NEC as relied upon by the Examiner, NEC describes that “[t]o toggle the orientation of the OSM menu between Landscape and Portrait modes, press the RESET button while the OSM menu is off.” In other words, NEC merely describes “toggling the orientation” of the “menu” between “Landscape and Portrait modes” by pressing a “RESET button” – not that the “orientation” of a least one displayed “symbol” is “changed” at a “position close to the at least one input unit.” At best, NEC describes displaying the menu in “Landscape” or “Portrait” modes – not that the “orientation” of a least one displayed “symbol” is

Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

“changed” at a “position close to the at least one input unit.” Therefore, Yu, Bald, Pivot Pro, and NEC, whether taken alone or in combination with one another, do not teach or suggest, among other things, “displaying the at least one symbol, whose orientation is changed, at a position close to the at least one input unit” as recited in claim 64.

Since, Yu, Bald, Pivot Pro, and NEC, whether taken alone or in combination with one another, fail to teach or suggest every element as recited in Applicant's claim 64, claim 64 is patentably distinguishable and deemed to be allowable.

Accordingly, withdrawal of this rejection and allowance of this claim are earnestly solicited.

Claims 81 and 82

With regard to claims 81 and 82, it is requested that for at least the reasons that these claims depend from allowable independent claim 64, and therefore contain each of the features as recited in claim 64, claims 81 and 82, are also patentable over Yu, Bald, Pivot Pro, and NEC, whether taken alone or in combination with one another.

Accordingly, withdrawal of these rejections and allowance of these claims are earnestly solicited.

Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.


Serial No.: 10/822,847
Docket No.: 101-1033
Response to Final Office Action dated March 23, 2009
Reply to the Final Office Action of February 3, 2009

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 502827.

Respectfully submitted,

STANZIONE & KIM, LLP

Dated: March 23, 2009
919 18th St., NW, Suite 440
Washington, DC 20006
Telephone: (202) 775-1900
Facsimile: (202) 775-1901

By: 
Kevin T. Roddy
Registration No. 50,577